



**IT IS ORDERED as set forth below:**

**Date: November 8, 2022**

*Paul Baisier*

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**Paul Baisier**  
U.S. Bankruptcy Court Judge

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: ) CHAPTER 7  
ATLANTA LIGHT BULBS, INC., ) CASE NO. 22-52950-PMB  
Debtor. ) JUDGE BAISIER  
 )

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**CONSENT ORDER GRANTING RELIEF FROM THE  
AUTOMATIC STAY TO BREIT STONE MOUNTAIN OWNER, LLC**

THIS MATTER came before the Court on November 7, 2022, to consider the *Motion to Approve Consent Order Lifting Automatic Stay* [Dkt. No. 160] (the “**Motion**”) filed by BREIT Stone Mountain Owner, LLC (“**BREIT**”), former landlord to Atlanta Light Bulbs, Inc. (the “**Debtor**”), on October 18, 2022 and any objections thereto. It appears to the Court that it has jurisdiction over this proceeding; that this is a core proceeding; that S. Gregory Hays, Chapter 7 Trustee (the “**Trustee**”) for the bankruptcy estate (the “**Estate**”) of the Debtor in the above captioned case (the “**Case**”) consents to the relief set forth in this Order; that based on representations of counsel as evidenced by their signatures shown below, that notice of the

Motion was duly given pursuant to Fed. R. Bankr. P. 4001(d), no objections were filed thereto, and therefore no further notice or hearing is needed; and that the relief sought in the Motion is appropriate and that good and sufficient cause exists for such relief.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, AS FOLLOWS:

1. The Motion is GRANTED as set forth herein.

2. BREIT is hereby granted relief from the automatic stay pursuant to 11 U.S.C. § 362 for the purpose of retaking possession of the Property immediately, and BREIT is so authorized to retake possession of the 2109 Mountain Ind Blvd, Tucker, GA 30084 (the “**Property**”).<sup>1</sup> The Trustee shall cooperate with BREIT as reasonably necessary to permit BREIT to retake possession of the Property and BREIT shall permit the Trustee to have access to the Property for purpose of inspecting the Property and its contents.

3. Given that the Lease expired on February 28, 2022, neither the Debtor, Alliance Electrical Service LLC (“**Alliance**”), nor the Estate shall have any further interest in the Property, and the Lease is deemed terminated.

4. By agreement of the parties, the Trustee reserves the right to file an action against BREIT relating to amounts paid to BREIT for occupancy of the Property (the “**Avoidance Claim**”). In the event that the Trustee asserts an Avoidance Claim against BREIT, BREIT reserves its right to assert a gap claim under 11 U.S.C. § 502(f) and/or a Chapter 11 administrative claim under 11 U.S.C. § 503 in this case relating to amounts owed to BREIT with respect to the Estate’s retention of the Property after April 15, 2022, and the administrative claims bar date in this case shall be automatically extended as to BREIT for a period of thirty (30) days following the Trustee filing any such Avoidance Claim.

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Motion.

5. Within fifteen (15) business days of the entry of this Consent Order, BREIT shall pay \$3,583.33, representing 50% of the security deposit associated with the Lease, to the Trustee, for the benefit of the Estate. BREIT shall be entitled to apply the remaining \$3,583.33 of the security deposit to its prepetition claims against the Debtor.

6. The 14-day stay imposed by Fed. R. Bankr. P. 4001(a)(3) is hereby deemed waived.

**END OF DOCUMENT**

**Prepared and Presented by:**

SCROGGINS & WILLIAMSON, P.C.

By: /s/ Matthew W. Levin

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*Counsel for BREIT*

**Consented to by:**

LAW OFFICES OF HENRY F. SEWELL JR., LLC

By: /s/ Henry F. Sewell, Jr. (with express permission by  
Matthew W. Levin)

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